

REMARKS

Claims 1-30 are pending in the application and are made subject to a restriction requirement. In view of the following remarks, Applicants request reconsideration of the restriction requirement and examination of the application.

Restriction Requirement Pursuant to the restriction requirement entered by the Examiner, Applicants as being required to restrict the application to one of the following group of claims:

Group I. Claims 1-16 and 29-30 drawn to an elastomer composite;

Group II. Claims 17-20 drawn to an elastomer blend; and

Group III. Claims 21-28 drawn to a process.

The restriction requirement is respectfully traversed.

The subject matter of elastomer claims 1-16 and 29-30 can be readily examined together with the subject matter of the remaining claims. The claims of Group II (claims 17-20) call for an elastomer blend comprising an elastomer composite blended with at least one elastomer material, the elastomer composite comprising a first elastomer and particulate filler dispersed in the first elastomer, the particulate filler comprising at least one carbon black having structure and surface area values meeting the equation $CDBP \leq (BET \div 2.9) \cdot X$. The subject matter of the claims of Group II can be compared and contrasted with the subject matter of the claims of Group I, wherein, for example, independent claim 1 recites an elastomer composite comprising an elastomer and particulate filler dispersed in the elastomer, the particulate filler comprising at least one

carbon black having structure and surface area values meeting the equation $CDBP \leq (BET \div 2.9)$. Accordingly, the restriction requirement should be withdrawn.

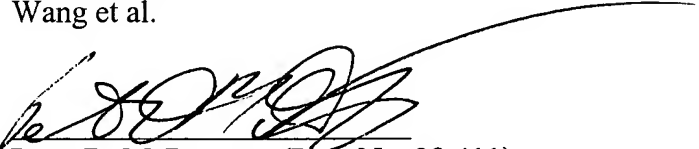
Notwithstanding the foregoing traversal of the restriction requirement, Applicants appreciate the Examiner's point in paragraph seven (7) of the Office Action, that Applicants' reply to the restriction requirement, in order to be complete, must include an election of the invention to be examined even though the requirement is traversed. Accordingly, Applicants elect to examine first the claims of Group I. That is, Applicants elect to prosecute first claims 1-16 and 29-30.

Conclusion

In view of the foregoing remarks, Applicants request withdrawal of the restriction requirement. If the Examiner does not withdraw the restriction requirement, Applicants request examination and allowance of the claims of Group I, that is, claims 1-16 and 29-30.

Respectfully submitted,
Wang et al.

1 Oct 2003
Date


Peter D. McDermott (Reg. No. 29,411)
Attorney for Applicants
Banner & Witcoff, LTD
28 State St. - 28th Floor
Boston, MA 02109
Phone: 617.720.9600
Fax: 617.720.9601